

# Anchor Church Conditional Use Permit File No. CUP-24003

February 4, 2025

# **Item Summary**

Consideration of a Conditional Use Permit application to allow a religious institution at 1775 N 10th Street. The project site is within the Neighborhood Commercial (C-N) commercial zoning district and is identified on the Jackson County Assessor's Map as 37S 2W 03AA Tax Lot 4300. **Applicant/Agent**: Cynthia Guthrie, AIA.

# **Staff Source**

Justin Gindlesperger, Community Planner III

# Background

The applicant is requesting a Conditional Use Permit (CUP) to operate a church in an existing office building on a property at 1775 N 10th Street in the Neighborhood Commercial (C-N) commercial zoning district. Central Point Municipal Code (CPMC) defines the term 'church' as a permanently located building wholly or partly used for the purpose of religious worship. As noted in the Project Narrative (Attachment "A"), the CUP is to allow Anchor Church to change the use of the existing building from a retail use in order to conduct Sunday worship/church services on site.

# **Project Description**

The applicants are currently conducting church services on the property and the CUP application is necessary to bring the use into compliance with the CPMC. As part of the application, the applicant remodeled the interior of the building to accommodate the Sunday services.

### Access

The site has an existing access along N 3rd Street, a public street. Frontage improvements are existing and no additional improvements are required.

### Traffic Impacts

As noted above, services are only conducted on Sunday for approximately 50 attendees. Traffic from the site will not conflict with the weekday peak times on the adjacent streets. Based on the hours of operation and the number of trips from the church, a traffic impact analysis is not required and there are no anticipated traffic impacts associated with this use.

# Building and Site Design

The church occupies approximately 3,700 square feet of an existing 8,100 square foot commercial building. The remaining floor area is occupied by an existing retail use, the Fair City

Market. The uses are separated internally and utilize separate entrances, with Fair City entrance facing North and Anchor Church to the east. Prior to the church, this portion of the building was used for various retail uses, most recently the Horse Blanket. The applicants are not proposing any exterior modifications to the structure.

In accordance with CPMC 17.64, there are no minimum parking requirements in Central Point. Maximum parking standards apply. Churches may provide up to 13.3 spaces/1,000 square feet of floor area, or a maximum of 49 parking spaces for the 3,700 square foot church.

The site currently has 15 existing parking spaces and the adjacent property, under the same ownership as the subject property has an additional 27 parking spaces. There are no proposed alterations to the parking or landscaping areas.

### Neighborhood Compatibility

Due to the existing development patterns and noise impacts of the area, the proposed church is not expected to conflict with or adversely impact the existing uses. The subject property is located near the intersection of N 10th Street and N 3rd Street with an existing commercial retail use adjacent to the church use. In addition, the church is conducting services on Sundays only and avoids peak weekday travel times.

### Issues

There are three (3) issues relative to this application:

 Change of Occupancy. The church use changes the occupancy of the building from a "B" category use (for business) to an "A-3" category use (for assembly). Per Building Department comments (Attachment "E"), the change requires a Change of Occupancy Permit to ensure the interior modifications are consistent with the Building Code.

**Comment**: Staff recommends Condition of Approval No. 2 requiring the applicant to submit a detailed floor plan to the Building Division and obtain a Change of Occupancy Permit.

 Trash Enclosure. As noted by the Rogue Disposal Staff Report (Attachment "H"), the existing trash enclosure on the property does not comply with current Rogue Disposal specifications. If the applicant proposes to have separate service from the adjacent use on site, the Applicant must coordinate the placement of the new trash containers with Rogue Disposal and comply with service area screening requirements in CPMC 17.75.042.

**Comment:** Staff recommends Condition of Approval No. 3(a) requiring the Applicant to coordinate trash container locations with Rogue Disposal and Conditional of Approval No. 3(b) requiring the Applicant to comply with service area screening requirements.

3. **Public Comments.** The City received written comments (Attachment "I") regarding parking and traffic impacts from the proposed use on the adjacent streets. Specifically,

the comments are concerned with off-street parking for the church use and traffic conflicts at the intersection of N. 3rd Street and N. 10th Street, especially during AM and PM school pick up and drop off times for nearby Scenic Middle School.

**Comment:** As noted in the Project Narrative (Attachment "A"), the church will conduct services on Sundays from 8 am to 12 pm for approximately 50 congregants. Sunday services avoid the peak traffic times on the adjacent streets, including weekday school pick up and drop off times.

As noted above, the site provides 15 spaces with an additional 27 parking spaces on the adjacent site that is under the same ownership. Additional on-street public parking is available along N. 3rd Street, south of the project site across from Aurora Lane. On-street parking is restricted north of the site to avoid conflicts with the N 3rd Street/N 10th Street intersection.

As a condition of approval, any modifications to the conditional use permit for the proposed church is subject to review in accordance with CPMC 17.09. This will include but is not limited to additional service days and service times.

# Findings of Fact & Conclusions of Law

The Anchor Church Conditional Use Permit has been evaluated against the applicable Conditional Use Permit Criteria set forth in CPMC 17.76 and found to comply as conditioned and as evidenced in the Planning Department Findings of Fact (Attachments "D").

# **Conditions of Approval**

- 1. The applicant shall coordinate with the Building Division to obtain a Change of Occupancy Permit and comply with the requirements in the Oregon Specialty Structural Code.
- 2. The applicant shall coordinate with Rogue Valley Sewer Services and comply with the requirements set forth in the letter dated January 7, 2025 (Attachment "G").
- 3. At the time separate trash service is established for the proposed use, the Applicant shall:
  - a. Coordinate with Rogue Disposal and comply with the requirements set forth in the email dated January 7, 2025 (Attachment "H"); and
  - b. Submit plans and construction details that demonstrate compliance with Screening for Service Area standards in CPMC 17.75.042(A)(6).
- 4. Any modifications to the conditional use permit, including but not limited to scheduled service days and times, shall be subject to review in accordance with CPMC 17.09, Modifications to Approved Plans and Conditions of Approval.

# Attachments

Attachment "A" - Project Narrative

Attachment "B" – Site Plan

Attachment "C" – Floor Plan

Attachment "D" – Planning Department Findings of Fact

Attachment "E" – Building Division Staff Report, dated 01/07/2025

Attachment "F" - Fire District No. 3 Staff Report, dated 01/07/2025

Attachment "G" – Rogue Valley Sewer Services Staff Report, dated 01/07/2025

Attachment "H" – Rogue Disposal Staff Report, dated 01/07/2025

Attachment "I" – Public Comments, dated 01/27/2025

Attachment "J" – Resolution No. 927

# Action

Open a public hearing and consider the proposed Conditional Use Permit application and 1) approve; 2) approve with revisions; or 3) deny the application.

# Recommendation

Approve Resolution No. 927, a Resolution approving the Conditional Use Permit application for the Anchor Church.

# **Recommended Motion**

I move to approve Resolution No. 927, a Resolution approving the Conditional Use Permit application for the Anchor Church per the Staff Report dated February 4, 2025.

# CYNTHIA GUTHRIE

4075 Cedar Lane Medford, Oregon 97501 Phone: 840-9190 Email: arch4clg@yahoo.com

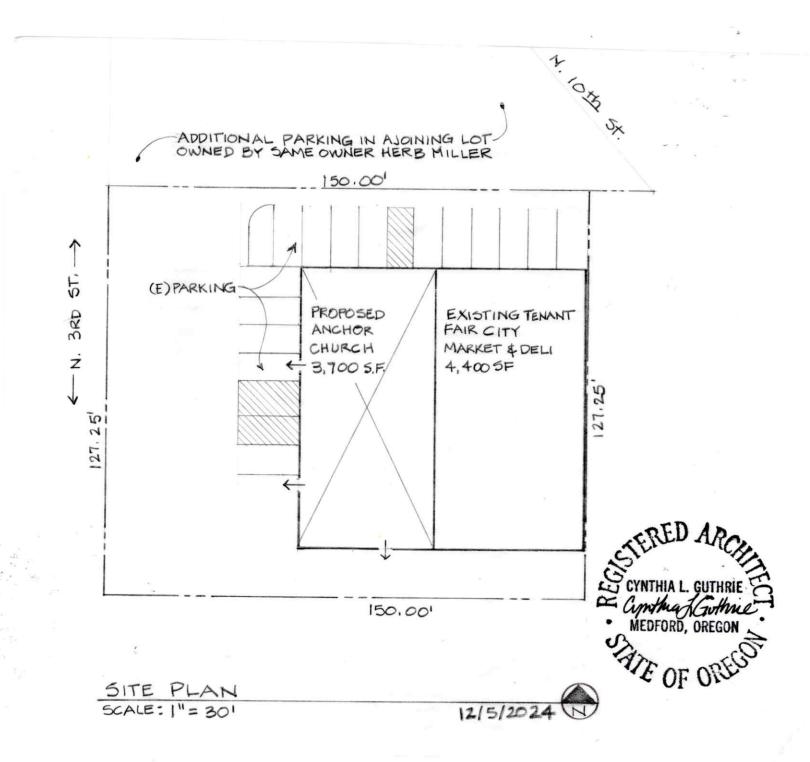
December 5, 2024

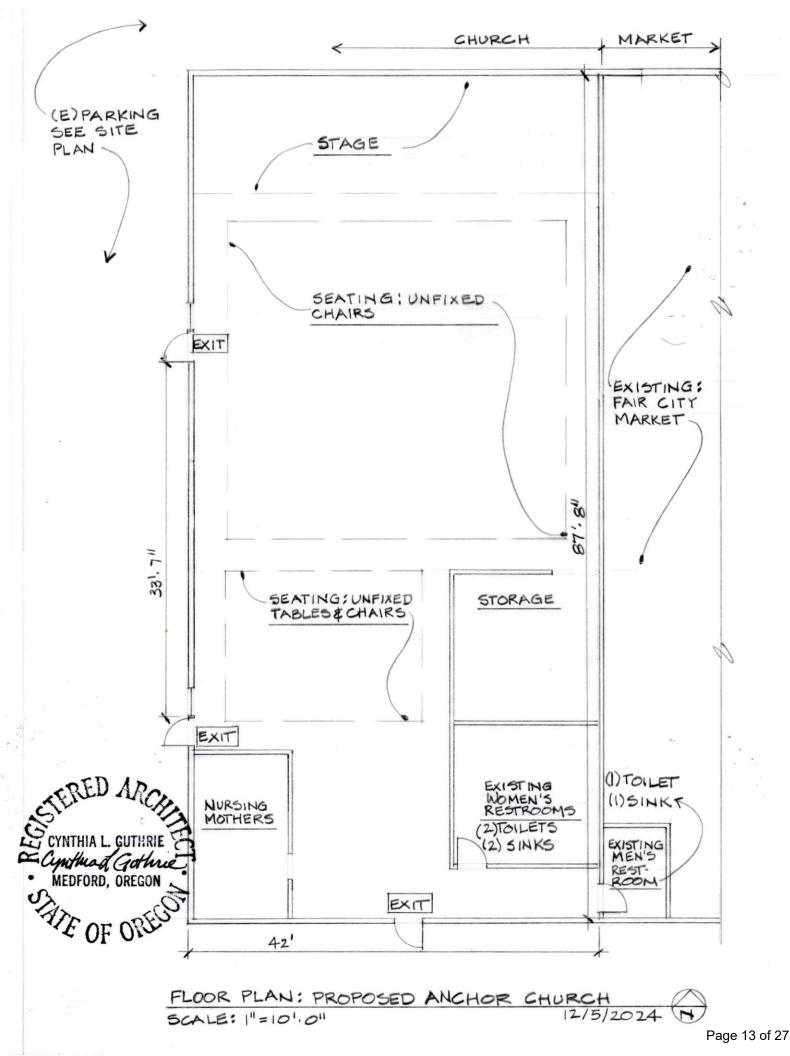
Hello:

This is a statement regarding the proposed Change of Occupancy at 1779 10th St. Central Point, Oregon from 'B' to 'A-3'. My Client, Anchor Church, is proposing to use this space as a Church for Sunday Services.

- They will use the existing 42 parking spaces provided on their and the adjoining lot (also owned by Herb Miller) and not exceed the maximum allowed of 49 spaces.
- The Trip Generation for this change is a Maximum of 50 congregants on Sundays from 8-12.
- New Maximum Occupant Load will be 200 with signage stating this from F.D.#3 posted near Exit.
- Based on the Occupancy of 200 or less, the existing Restrooms-(2) toilets/sinks in Women's, (1) toilet/sink in Men's meet required numbers of fixtures per Table 2902.1, 2022 OSSC
- Exit location, size, signage and emergency lighting all reviewed and approved for proposed 'A-3 'Occupancy by Jackson County Fire District #3 Deputy fire Marshal Mark Northrop. Exists will remain unobstructed and open to provide appropriate egress.
- Anchor Church will welcome yearly inspections from F.D.#3 for compliance

Thank you Cynthia Guthrie, Architect





### PLANNING DEPARTMENT SUPPLEMENTAL FINDINGS OF FACT AND CONCLUSIONS OF LAW File No.: CUP-24003

### Consideration of a Conditional Use Permit for Anchor Church Change of Use

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Applicant: Cynthia Guthrie, AIA 4075 Cedar Lane Medford OR 97501 Findings of Fact and Conclusion of Law

## PART 1 INTRODUCTION

The applicant is requesting to change the use of an existing commercial retail building to a religious institution in order to conduct Sunday worship/church services on site.

The project site is located within the Neighborhood Commercial (C-N) zoning district. Churches and other religious institutions are considered conditional uses in the CN zone, in accordance with CPMC 17.32.030.

A Conditional Use Permit (CUP) is processed using Type III application procedures. Type III procedures set forth in Section 17.05.400 provide the basis for decisions upon standards and criteria in the development code and the comprehensive plan, when appropriate.

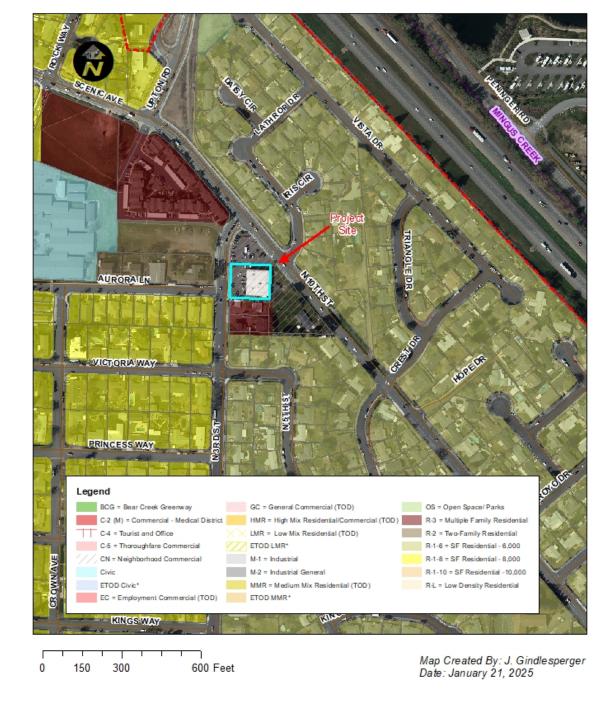
The standards and criteria for CUP are set forth in CPMC 17.76. The following findings address each of the standards and criteria as applies to the proposed application for the Anchor Church change-of-use.



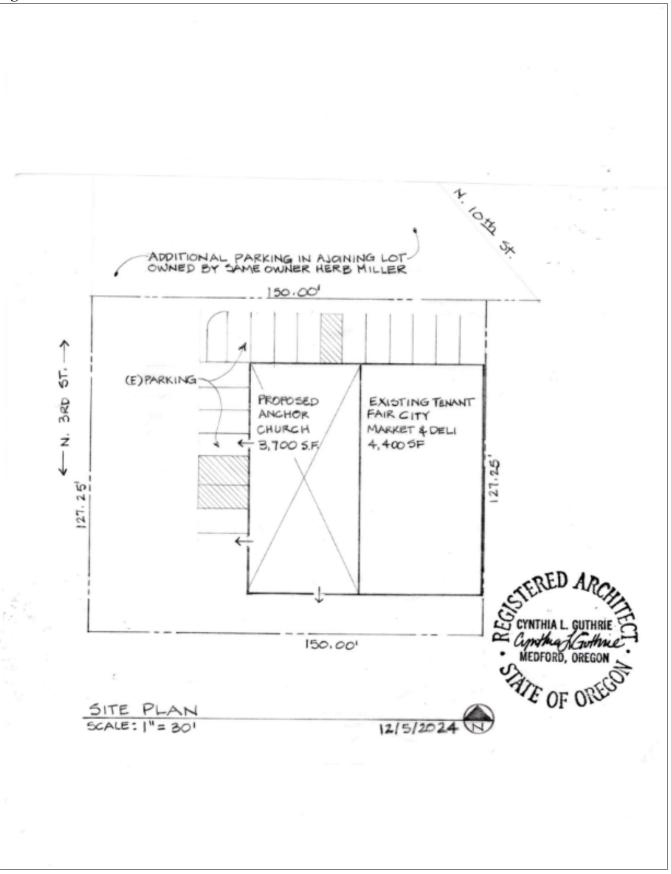
### Anchor Church Conditional Use Permit

CITY OF CENTRAL POINT, OREGON

#### Project Location Map File No.: CUP-24003



# Figure 2. Site Plan



### PART 2 – CHAPTER 17.76 CONDITIONAL USE PERMIT

In certain districts, conditional uses are permitted subject to the granting of a conditional use permit. Because of their unusual characteristics or the special attributes of the area in which they are to be located, conditional uses require special consideration so that they may be properly located with respect to the objectives of the zoning title and their effect on surrounding properties.

### 17.76.040 Findings and conditions.

The planning commission in granting a conditional use permit shall find as follows:

A. That the site for the proposed use is adequate in size and shape to accommodate the use and to meet all other development and lot requirements of the subject zoning district and all other provisions of this code;

**Finding 17.76.040(A):** The CN zoning district does not have minimum lot area, width or depth requirements. There are no minimum setbacks. As shown on the Site Plan (Figure 2), the project site is currently developed with an existing commercial building, parking and circulation, landscape and frontage improvements. The application proposes to change the use of a portion of the existing building from commercial retail use to a church for assembly use. There are no proposed alterations to the exterior or size of the building, to parking or circulation, or landscape areas.

### Conclusion 17.76.040(A): Consistent.

B. That the site has adequate access to a public street or highway and that the street or highway is adequate in size and condition to effectively accommodate the traffic that is expected to be generated by the proposed use;

**Finding 17.76.040(B):** As shown on the Site Plan (Figure 2), the site has direct access to N 3rd Street, a public street. N 3rd Street is classified as a Collector street. The proposed use will conduct services on Sundays, away from peak days and times for the area streets. Frontage improvements are existing and the application does not propose to alter the access location or width.

### Conclusion 17.76.040(B): Consistent.

C. That the proposed use will have no significant adverse effect on abutting property or the permitted use thereof. In making this determination, the commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation; setbacks; height of buildings and structures; walls and fences; landscaping; outdoor lighting; and signs;

**Finding 17.76.040(C):** There are no proposed alterations to the exterior of the building, parking area, on-site circulation, or landscape areas. Modifications to the building are interior in order to accommodate the proposed change of use from commercial to a religious institution for church services.

Conclusion 17.76.040(C): Not applicable.

D. That the establishment, maintenance or operation of the use applied for will comply with local, state and federal health and safety regulations and therefore will not be detrimental to the health, safety or general welfare of persons residing or working in the surrounding neighborhoods and will not be detrimental or injurious to the property and improvements in the neighborhood or to the general welfare of the community based on the review of those factors listed in subsection C of this section;

**Finding 17.76.040(D):** As noted in the Building Department Staff Comments, dated January 7, 2025, the proposed change of use requires a Change of Occupancy permit. The commercial use is considered a "B" (business) use in the Oregon Specialty Code and the church is considered an "A-3" use for assembly. As a condition of approval, the Applicant must obtain a Change of Occupancy permit from the Building Department.

### Conclusion 17.76.040(D): Complies as conditioned.

- E. That any conditions required for approval of the permit are deemed necessary to protect the public health, safety and general welfare and may include:
  - 1. Adjustments to lot size or yard areas as needed to best accommodate the proposed use; provided the lots or yard areas conform to the stated minimum dimensions for the subject zoning district, unless a variance is also granted as provided for in Chapter 17.13,
  - 2. Increasing street widths, modifications in street designs or addition of street signs or traffic signals to accommodate the traffic generated by the proposed use,
  - 3. Adjustments to off-street parking requirements in accordance with any unique characteristics of the proposed use,
  - 4. Regulation of points of vehicular ingress and egress,
  - 5. Requiring landscaping, irrigation systems, lighting and a property maintenance program,
  - 6. Regulation of signs and their locations,
  - 7. Requiring fences, berms, walls, landscaping or other devices of organic or artificial composition to eliminate or reduce the effects of noise, vibrations, odors, visual incompatibility or other undesirable effects on surrounding properties,
  - 8. Regulation of time of operations for certain types of uses if their operations may adversely affect privacy of sleep of persons residing nearby or otherwise conflict with other community or neighborhood functions,
  - 9. Establish a time period within which the subject land use must be developed,
  - 10. Requirement of a bond or other adequate assurance within a specified period of time,

- 11. Such other conditions that are found to be necessary to protect the public health, safety and general welfare,
- 12. In considering an appeal of an application for a conditional use permit for a home occupation, the planning commission shall review the criteria listed in Section 17.60.190.

**Finding 17.76.040(E):** As shown on the Site Plan (Figure 2), the project site is currently developed with an existing commercial building, off-street parking, circulation, landscaping and street frontage improvements. The proposed change of use is from a retail commercial use to a religious institution/church. The proposed use operates on Sundays and does not generate as many trips as the previous use and avoids peak travel days and times. Modifications to the site are internal to the building to accommodate the new use and no changes are proposed for site layout. Any changes to the exterior of the building, including but not limited to signs, must obtain permits from the Building Department.

As noted in the Rogue Disposal Staff Comments, dated January 7, 2025, the existing trash enclosure on the property does not comply with current Rogue Disposal specifications. If the applicant proposes to have separate service from the adjacent use on site, the Applicant must coordinate the placement of the new trash containers with Rogue Disposal and comply with service area screening requirements in CPMC 17.75.042.

Conclusion 17.76.040(E): Complies as Conditioned.

### PART 3 SUMMARY CONCLUSION

As evidenced in Planning Department Findings of Fact, the proposed conditional use permit application for the church along North 3rd Street is, as conditioned in the Staff Report dated February 4, 2025, in compliance with the applicable criteria set forth in Title 17 of the Central Point Municipal Code.

From:	Derek Zwagerman
Sent:	Tuesday, January 7, 2025 9:43 AM
То:	Justin P. Gindlesperger
Subject:	RE: Request for Comments - CUP-24003

If the conditional use permit is approved, a Change of Occupancy permit will be required.

The Change of Occupancy permit will be approved based on documentation already provided by Cynthia Guthrie, AIA and confirmed by DFM Northrop from JCFD 3.

Derek Zwagerman, P.E. City of Central Point – Building Dept. 541-423-1024

From: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>
Sent: Tuesday, January 7, 2025 9:26 AM
To: Matt Samitore <Matt.Samitore@centralpointoregon.gov>; Greg Graves <Greg.Graves@centralpointoregon.gov>;
Mike Ono <Mike.Ono@centralpointoregon.gov>; Stephanie Powers <stephanie.powers@centralpointoregon.gov>;
Derek Zwagerman <Derek.Zwagerman@centralpointoregon.gov>; 'markn@jcfd3.com' <markn@jcfd3.com>; Mark
Kimmelshue <mark.kimmelshue@centurylink.com>; 'David.McFadden@avistacorp.com'
<David.McFadden@avistacorp.com>; Chadd Griffin <chadd.griffin@centralpointoregon.gov>; Ed Devries
<Ed.Devries@pacifiCorp.com>; emalanche@roguedisposal.com; lbrown@roguedisposal.com; Nick Bakke
<nbackstace</p>
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Subject: Request for Comments - CUP-24003

Good morning,

The City received an application requesting approval for a Conditional Use Permit to change the use of a commercial building into a religious institution in the C-N, Neighborhood Commercial Zoning district. The property is located at 1775/1779 N. 10<sup>th</sup> Street and identified on the Jackson County Assessor's map as 37S 2W 03AA, Tax Lot 4300.

The complete application is available at: www.centralpointoregon.gov/cd/project/anchor-church-conditional-use-permit

Please review and submit comments or written reports setting forth any necessary conditions as required by your department/agency to the Planning Department no later than **Tuesday**, **January 21**, **2025**. If no comments are received within the review period, it will be assumed that there are no comments.

Thank you for your time and consideration of this request. If you have questions, please let me know

Justin Gindlesperger, AICP, CFM Community Planner III Community Development City of Central Point 140 South Third Street Central Point, OR 97502 Desk: 541-664-3321 (x245) Fax: 541-664-6384

From:	Mark Northrop <markn@jcfd3.com></markn@jcfd3.com>
Sent:	Tuesday, January 7, 2025 11:35 AM 🕤 💿 🖙
То:	Justin P. Gindlesperger; Matt Samitore; Greg Graves; Mike Ono; Stephanie Powers; Derek Zwagerman; Mark Kimmelshue; 'David.McFadden@avistacorp.com'; Chadd Griffin; Ed Devries; emalanche@roguedisposal.com; lbrown@roguedisposal.com; Nick Bakke; 'chad.murders@ecso911.com'
Subject:	Re: Request for Comments - CUP-24003

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Fire District 3 has no comments and recommends approval.



Jackson County Fire District 3 8383 Agate Rd, White City, OR 97503 Markn@jcfd3.com Office: 541.831.2776 Cell 541.660.7689 www.jcfd3.com



**Together We're Better** 

From: Justin P. Gindlesperger <Justin.Gindlesperger@centralpointoregon.gov>

Sent: Tuesday, January 7, 2025 9:26 AM

**To:** Matt Samitore <Matt.Samitore@centralpointoregon.gov>; Greg Graves <Greg.Graves@centralpointoregon.gov>; Mike Ono <Mike.Ono@centralpointoregon.gov>; Stephanie Powers <stephanie.powers@centralpointoregon.gov>; Derek Zwagerman <Derek.Zwagerman@centralpointoregon.gov>; Mark Northrop <MarkN@jcfd3.com>; Mark



January 7, 2025

City of Central Point Planning Department 155 South Second Street Central Point, Oregon 97502

### Re: CUP-24003 – 1775 & 1779 N 10th St, Map 37 2w 03AA TL 4300

There is an existing building is currently served by a 4 inch connection the existing 8 inch sewer main along N 3<sup>rd</sup> Street. The proposed change of use will not affect this service. However, there may be sewer SDC's owed to RVSS.

Rogue Valley Sewer Services requests that approval of this project be subject to the following conditions:

- 1. Applicant must submit architectural/plumbing plans for the calculation of related SDC fees.
- 2. Applicant must pay all related SDC's to RVSS prior to the issuance of Building permits.

Feel free to call me with any questions.

Sincerely,

2.

Nicholas R Bakke, PE District Engineer

From: Sent:	Josh Cole <jcole@roguedisposal.com> Tuesday, January 7, 2025 11:13 AM</jcole@roguedisposal.com>
То:	Justin P. Gindlesperger
Cc:	Erin Malanche
Subject:	1775 N 10th St Central Point.
Attachments:	Enclosure Requirments_Rogue 6.20.24.docx

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.



Good morning, Justin.

We will need some changes made to this property moving forward. The trash enclosure is not to specs. Also, if they are going to be splitting the parking lot and running two separate services, they will need a new site approval for relocation of the Containers. I am attaching a copy of the current enclosure specs. Looking forward to working with you on this project. Please let me know when is a good time to go over the details. Thank you.

#### Josh Cole

Operations Supervisor DIRECT | 541.494.5473 CELL | 541.324.9252



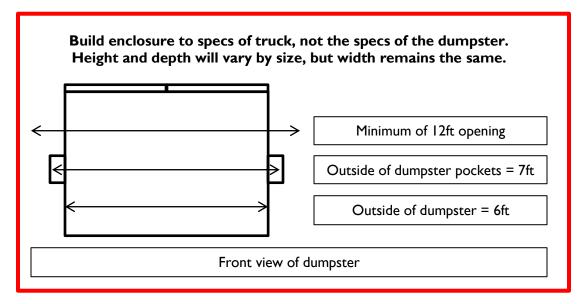
We do that!"



# **Understanding the Enclosure**

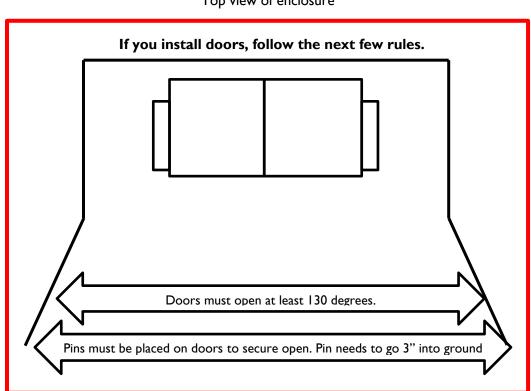
All dumpsters are the same width, but their depth is different.

I. Width of truck and dumpster

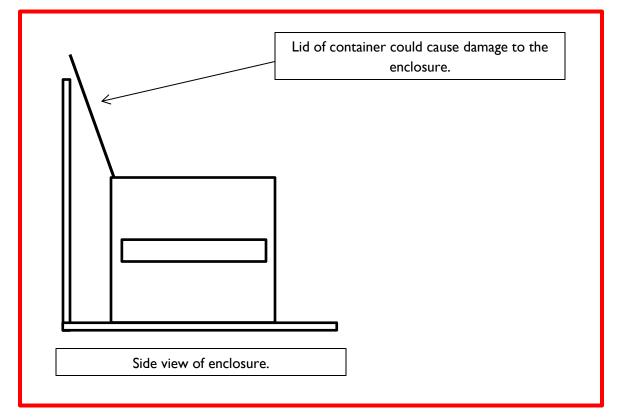


- Minimum inside Width Clearance: 12 ft wide
- Minimum Depth Clearance: 10 ft deep
- Minimum Height Clearance: I4ft high
- 2. Enclosure Placement
  - Frontload truck needs direct access to enclosure truck forks go straight into the pockets on the dumpster, truck cannot approach at an angle.
  - The front load truck needs overhead clearance to lift dumpster 25' into the air.

Notes: - The enclosure needs to allow for min of 1.5 ft clearance outside of the truck lift arms – min enclosure width is 12 feet. If you have enclosure gates, the 12 ft would apply to the space between the gates when propped fully open at 130 degrees. If you have 2 dumpsters in the enclosure it needs to be a min of 24 feet wide, with no center pole – 12 ft wide minimum per opening. The inside of the enclosure must have a curb to keep the container from hitting the back wall of the enclosure after the dumpster is emptied.



3. Dumpster lids



From: Sent:	Keri Couvrette <kerigaye@icloud.com> Monday, January 27, 2025 2:25 PM</kerigaye@icloud.com>
To: Subject:	planning group Proposed religious institution located at 1779 N. 10th St.

[EXTERNAL EMAIL] DO NOT CLICK links or attachments unless you recognize the sender and know the content is safe.

Planning Commission,

My concern with a church being at that site would be parking issues and higher traffic on that corner. Once the parking lot was full where would the other church goers park, in our neighborhoods where we park? That sometimes happens when the fairgrounds has a big events. As far as higher traffic, I don't know what their weekly activities would be but, that is an incredibly busy intersection/corner already during school days starting and ending and bigger school activities like concerts, graduations, and sometimes fairgrounds events, etc. I would oppose it if it makes any of those things worse.

Thank you Sent from my iPhone

### PLANNING COMMISSION RESOLUTION NO. 927

### A RESOLUTION OF THE PLANNING COMMISSION APPROVING A CONDITIONAL USE PERMIT FOR A RELIGIOUS INSTITUTION ON PROPERTY LOCATED AT 1775 N 10TH STREET IN THE NEIGHBORHOOD COMMERCIAL ZONE (C-N).

### (File No: CUP-24003)

**WHEREAS**, the applicant has submitted an application for approval of a Conditional Use Permit to change the use of an existing structure within the Neighborhood Commercial zone; and

**WHEREAS**, the project site is located at 1775 N 10th Street, which is identified on the Jackson County Assessor's Map as 37S 2W 12 03AA, Tax Lot 4300; and,

**WHEREAS**, religious institutions require a Conditional Use Permit in accordance with CPMC 17.32.030(C); and,

**WHEREAS**, on February 4, 2025 the City of Central Point Planning Commission conducted a duly-noticed public hearing on the application, at which time it reviewed the record and heard testimony and comments on the application; and,

**WHEREAS**, the application has been found to be consistent with the approval criteria applicable to Conditional Use Permits in accordance with Section 17.76 of the Central Point Municipal Code as conditioned per the Staff Report dated February 4, 2025.

### NOW, THEREFORE, BE IT RESOLVED that

<u>Section 1</u>: The City of Central Point Planning Commission hereby approves the Conditional Use Permit application File No. CUP-24003 subject to the conditions in the Staff Report dated February 4, 2025 (Exhibit 1).

<u>Section 2</u>: This decision is based upon the Planning Department Staff Report dated February 4, 2025, attached hereto as Exhibit 1, including all exhibits thereto.

**PASSED** by the Planning Commission and signed by me in authentication of its passage this 4th day of February, 2025

Planning Commission Chair

ATTEST:

City Representative

Planning Commission Resolution No. 927 (02/05/2025)